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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/454,164	
	<b>Filing Date</b>	11/17/1999	
	<b>First Named Inventor</b>	Michael J. Monroe	
	<b>Group Art Unit</b>	2633	
	<b>Examiner Name</b>	Phan, H.	
<b>Total Number of Pages in This Submission</b>	5	<b>Attorney Docket Number</b>	42P13950

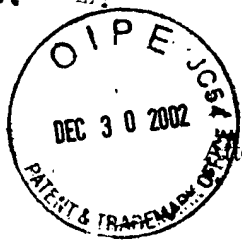
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Attorney Docket No.: 42P13950

#18  
Rec'd For Records  
Patent 1.23.08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael J. Monroe et al.

Serial No. 09/454,164

Filed: November 17, 1999

For: CODE BASED OPTICAL NETWORKS,  
METHODS, AND APPARATUS

Examiner: Phan, H.

Art Unit: 2633

Assistant Commissioner for Patents  
Washington, D.C. 20231

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RESPONSE UNDER 37 C.F.R. §§ 1.111

Sir:

In response to the Office Action mailed September 24, 2002, applicant respectfully requests the Examiner to enter the following response and consider the following remarks.

REMARKS

The Examiner is thanked for the indication that claims 1-4 and 19-21 are allowed.

Claims 1-10, 14-17, and 19-28 remain pending in the instant application. Claims 5-10, 14-17, and 22-28 presently stand rejected. Reconsideration of claims 5-10, 14-17, and 22-28 is respectfully requested.

*Claim Rejections – 35 U.S.C. §103*

Claims 5-10, 14-17, and 22-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,314,220 to Mossberg, *et al.* ("Mossberg") in view of U.S. Patent No. 5,841,776 to Chen ("Chen"). Applicants respectfully traverse the rejection.